

REMARKS

Claims 1-39 are pending in the application. Claims 1-39 have been canceled. Claims 40-71 have been newly added. The Summary and Abstract have been amended. Applicant respectfully requests reconsideration in view of the following amendment and remarks.

35 U.S.C. §112, second paragraph

Claims 13 and 33 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Applicants have canceled claims 13 and 33 which overcomes the rejection raised by the Examiner.

35 U.S.C. §102(b) and §103(a)

Claims 1-3, 13, 14, 19, 21-23, 33, 34, and 39 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,765,138 by Aycock et al. (Aycock). Claims 4-12, 15-18, 20, 24-32, and 35-38 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Aycock. Claims 1-39 are canceled. New claims 40-71 have been added. Claims 40-71 are patentable over Aycock for at least the following reasons.

Turning to the claims in detail, new claims 40 and 62 are directed to "creating a commodity template for a commodity, said commodity associated with a supplier part." The invention of the Applicants qualify supplier parts by commodity. Aycock fails to teach or disclose a commodity template and a supplier part. In fact, Aycock qualifies suppliers by sending vendor requirements to suppliers in the form of maturity questions (col. 5, lines 44-65, col. 6, lines 21-33 and lines 55-59). According to Aycock, qualifying a supplier involves assigning a weight to these requirements in accordance with their importance, and scaling the responses received from suppliers

YOR920000560US1  
127-0005

to determine a supplier maturity level (col. 6, lines 18-27 and lines 59-67). The feedback from suppliers are validated by the entity doing the qualifying by performing an onsite evaluation of the supplier and comparing the results of the evaluation against the supplier responses (col. 3, lines 36-39). The qualification of the Applicants invention, on the other hand, qualifies technologies and supplier parts according to a related commodity type.

New claims 40 and 62 further recite a part qualification repository comprising "a parts database receiving information from a commercial parts database; a technology survey database, a quality information network database; an archives database; and a system testing database." Aycock neither teaches nor discloses these databases. Further, Aycock does not teach "receiving information from a commercial parts database." Aycock discloses a product database that "enables specific evaluation of products supplied by existing and prior vendors" (emphasis added) (col. 10, lines 1-5). The product database of Aycock is limited to product data received from existing or prior vendors, unlike the parts database of the Applicants invention.

Aycock further does not teach or disclose assigning a default viewing tool, establishing access restrictions, nor sharing data among databases. Contrary to the Examiner's assertion, assigning a default viewing tool and establishing access restrictions are not obvious in that the qualifying data in Aycock does not originate from multiple sources with disparate forms of data as disclosed in the various databases and data sources recited in Applicants' invention. Accordingly, there would be no need for assigning a default viewing tool or complex access requirements. For at least these reasons, claims 40 and 62 are not anticipated by Aycock. Claims 41-49 are dependent upon claim 40, and claims 63-71 are dependent on claim 62. For at least the reasons specified above, claims 41-49 and claims 63-71 are patentable over Aycock.

New claim 50 recites a system comprising a host system executing parts qualification software, a parts database, a technology survey database, a quality information database, an archives database, a system testing database, a parts qualification plan template with requires data, an assigned default viewing tool, a text message field, and an access permissions structure. Aycock does not disclose these

features as indicated above with respect to claims 40 and 62. For at least these reasons, new claim 50 is not anticipated nor rendered obvious by Aycock. New claims 51-61 are dependent on claim 50 and are patentable over Aycock for at least the reasons specified above.

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, please charge them to Deposit Account 50-0510, maintained by Applicants' Assignee.

Respectfully submitted,

By: Marisa J. Dubuc  
Marisa J. Dubuc  
Registration No. 46,673  
CANTOR COLBURN LLP  
55 Griffin Road South  
Bloomfield, CT 06002  
Telephone (860) 286-2929  
Facsimile (860) 286-0115  
Customer No. 23413

Date: August 22, 2003

YOR920000560US1  
127-0005